IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 11929 of 1998

Between:

1 M. Krishna Murthy S/o Rama Murthy
R/o Peddapuram, East Godavari Dist., AP-5T-988
2 B.V.M.S. Brahmananda Rao S/o Anhaneyulu
R/o Peddapuram, E.G. Dist., AP-5T-2471
3 B. Anjaneyulu S/o. B.V.M.B.B.Rao
R/o Peddapuram, E.G. Dist.,AIJ-9396
4 G. Narayana Rao S/o Venkata Rao
R/o Kakinada, E.G. Dist.,AP-5-X 511
5 D. Subba Raoi S/o Sri Ram Murthy
R/o Rajahmundry, E.G. Dist., AP 5T 7186
6 R.V. Ramana S/o Krishna
R/o Rajahmundry, E.G. Dist.,AP 5U 357
7 P. Veera Mani W/o P.V. Rao
R/o Rajahmundry, E.G. Dist.,AP 20T 899
8 K. Satyanarayana S/o Appala Swamy
R/o. Burugupudi, E.G. Dist., AHP 9729
9 G. Venkata Ramanamma W/o Sita Ram Murthy
R/o Rajahmundry, E.G. Dist., WV/2468
10 P.V. Venkateswara Rao S/o Mutyam
R/o Rajahmundry, E.G. Dist., AP 5X 677
11 K. Venkateswara Rao S/o Radhakrishna Murthy
R/o. Amalapuram, E.G. Dist., AHQ 6030
12 G. Bangaru Raju S/o Sri Hari
R/o Rajahmundry, E.G. Dist., AP 5U 3163
13 P.V. Venkateswara Rao S/o Mutyam
R/o Rajahmundry, E.G. Dist., AP 37V 377
14 Nekkala Rama Krishna S/o Paratayya
R/o Peddapuram, E.G. Dist., AP 5X 1965

..... PETITIONERS

AND

1 The Deputy Transport Commissioner & Secretary, R.T.A.,
Kakinada, East Godavari Dist.
2 The Regional Transport Officer & Assistant Secretary, R.T.A.
Rajahmundry, E.G. Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction preferably in the nature of the writ of Mandamus to declaring the action of the respondents in not permitting the petitioners here in to carry the gross vehicle weight of 8,770 kgs for the petitioners 1 to 12 and 12,000 kgs. for the petitioners 13 and 14 as mentioned in the cause title as illegal, arbitrary and contrary to the law, and further direct the respondents herein to permit the petitioners 1 to 12 to carry the gross vehicle weight as 8,770 kgs and for the petitioners 13 and 14 as 12,000 kgs in respect of their goods vehicles as mentioned in the cause title, by entering the same in respective registration certificate of the said vehicles forth with and pass

Counsel for the Petitioners: MR.V.RAMA KRISHNA

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following:

ORDER**:**

This writ petition is filed seeking a writ of Mandamus to declare the action of the respondent-Secretary, Regional Transport Authority, in not permitting the petitioners 1 to 12 herein to carry Gross Vehicle weight of 8,700 kg and the petitioners 13 and 14 to carry 12,000 kgs in their respective Heavy Goods vehicles as illegal and arbitrary and consequently, to direct the respondents to permit the petitioners to carry the said weight in his goods vehicles by entering the same in the respective registration certificates.

When the matter is taken up for hearing, it is submitted by the learned counsel appearing for the petitioners and conceded by the learned Government Pleader for Transport appearing for the respondent that the issue involved in this writ petition is squarely covered by the judgment of the Apex Court in **N.Venkateswara Rao Vs. S.T.A.**,

wherein the Apex Court has elaborately discussed the matter and dismissed the writ appeals and W.P.No.6211 of 1990 and batch.

Accordingly, following the said judgment of the Apex Court, this writ petition is also dismissed for the same reasons. No order as to costs.

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08.04.2005

dr/tvk

To

1 The Deputy Transport Commissioner & Secretary, R.T.A.,
Kakinada, East Godavari Dist.
2 The Regional Transport Officer & Assistant Secretary, R.T.A.
Rajahmundry, E.G. Dist.

3 2 CCs to Government Pleader for Transport,

High Court Buildings, Hyderabad. (OUT)

4 2 CD copies

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